

**Message to the Senate Transmitting
the Romania-United States
Additional Protocol Concerning the
Reciprocal Encouragement and
Protection of Investment**

December 9, 2003

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Additional Protocol between the Government of the United States of America and the Government of Romania Concerning the Reciprocal Encouragement and Protection of Investment of May 28, 1992, signed at Brussels on September 22, 2003. I transmit also, for the information of the Senate, the report of the Department of State with respect to this Additional Protocol.

My Administration expects to forward to the Senate shortly analogous Additional Protocols for Bulgaria, the Czech Republic, Estonia, Latvia, Lithuania, Poland, and the Slovak Republic. Each of these Additional Protocols is the result of an understanding the United States reached with the European Commission and six countries that will join the European Union (EU) on May 1, 2004 (the Czech Republic, Estonia, Latvia, Lithuania, Poland, and the Slovak Republic), as well as with Bulgaria and Romania, which are expected to join the EU in 2007.

The understanding is designed to preserve U.S. bilateral investment treaties (BITs) with each of these countries after their accession to the EU by establishing a framework acceptable to the European Commission for avoiding or remedying present and possible future incompatibilities between their BIT obligations and their future obligations of EU membership. It expresses the U.S. intent to amend the U.S. BITs, including the BIT with Romania, in order to eliminate incompatibilities between certain BIT obligations and EU law. It also establishes a framework for addressing any future incompatibilities that may arise as European Union authority in the area of investment expands in the future, and endorses the principle of protecting existing U.S. investments from any future EU measures that may restrict foreign investment in the EU.

The United States has long championed the benefits of an open investment climate, both at home and abroad. It is the policy of the United States to welcome market-driven foreign investment and to permit capital to flow freely to seek its highest return. This Additional Protocol preserves the U.S. BIT with Romania, with which the United States has an expanding relationship, and the protections it affords U.S. investors even after Romania joins the EU. Without it, the European Commission would likely require Romania to terminate its U.S. BIT upon accession because of existing and possible future incompatibilities between our current BIT and EU law.

I recommend that the Senate consider this Additional Protocol as soon as possible, and give its advice and consent to ratification at an early date.

George W. Bush

The White House,
December 9, 2003.

**Message to the Senate Transmitting
the Japan-United States Convention
on Avoidance of Double Taxation
and Prevention of Fiscal Evasion
With Respect to Taxes on Income**

December 9, 2003

To the Senate of the United States:

I transmit herewith, for Senate advice and consent to ratification, the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed at Washington on November 6, 2003, together with a Protocol and an exchange of notes (the "Convention"). I also transmit, for the information of the Senate, the report of the Department of State concerning the Convention.

This Convention would replace the Convention between the United States of America and Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed at Tokyo on March 8, 1971.

This Convention, which is similar to tax treaties between the United States and other developed nations, provides rules specifying the circumstances under which income that arises in one of the countries and is derived by residents of the other country may be taxed by the country in which income arises, providing for maximum source-country withholding tax rates that may be applied to various types of income and providing for protection from double taxation of income. The proposed Convention also provides rules designed to ensure that the benefits of the Convention are not available to persons that are engaged in treaty shopping. Also included in the proposed Convention are rules necessary for administering the Convention.

I recommend that the Senate give early and favorable consideration to this Convention, and that the Senate give its advice and consent to the ratification of the Convention.

George W. Bush

The White House,
December 9, 2003.

**Remarks Following a Meeting With
Members of the Iraqi National
Symphony**

December 10, 2003

Last night Laura and I had the honor of going to hear the Iraqi National Symphony play with the Washington Symphony at the Kennedy Center. It was an extraordinary event. And today I've had the honor of welcoming members of the symphony here at the White House. Maestro, you did a superb job. Thank you very much.

I'm also honored to be here with Rend al-Rahim, who is the Iraqi representative to the United States. Rend is an articulate defender of freedom and peace. I'm so honored you're here, Rend, and we look forward to working with you.

We've had a very positive discussion here about freedom and hopes and aspirations of young and old alike. And I am so impressed by the spirit of these musicians. I'm so honored you would come to our country.

It's very interesting that the Iraqi Symphony is made up of people who are Shi'a

and Sunni and Armenian and Kurdish. They work for one thing, and that is a unified sound, a beautiful sound. And that's the country that is now emerging in Iraq, a country that will work together and recognize everybody's rights. We're making good progress in Iraq. There's more to do, obviously, but the fact that the Iraqi Symphony is here and entertaining Americans is a sign of that progress.

And we thank you all for coming. We wish you Godspeed.

NOTE: The President spoke at 2:01 p.m. in the Roosevelt Room at the White House. In his remarks, he referred to Mohammed Amin Ezzat, conductor, Iraqi National Symphony; and Rend Rahim Francke, head of Iraq's Interest Section in the U.S. A tape was not available for verification of the content of these remarks.

**Statement on the Death of
Paul Simon**

December 10, 2003

Laura and I were saddened to learn of the death of former Senator Paul Simon. Paul Simon contributed significantly to America as an Army special agent, newspaper publisher, Member of the United States Senate and House of Representatives, and author and teacher. He will be missed by the many people in Illinois and throughout the country whose lives he touched and improved. Laura and I send our condolences to his family and many friends.

**Statement on the Death of
Bob Bartley**

December 10, 2003

Bob Bartley was a giant of journalism. His extraordinary contributions to America as an author, editor, and columnist helped shape our times. I was pleased to award him the Presidential Medal of Freedom, our highest civil honor, in recognition of his enormous impact on the intellectual and political life of our Nation. Laura joins me in sending condolences to Edith and his daughters, family, colleagues, and friends.